

ROCKY FLATS FIELD OFFICE

ANNUAL NATIONAL ENVIRONMENTAL POLICY ACT (NEPA) PLANNING SUMMARY

December 2003

PREDECISIONAL DRAFT

DOE Order 451.1A (National Environmental Policy Act Compliance Program) requires the Rocky Flats Field Office (RFFO) to submit an "Annual NEPA Planning Summary" to the Assistant Secretary for Environment, Safety and Health. This document is submitted in compliance with that requirement.

The Planning Summary consists of three sections:

- Section 1: Status of NEPA Compliance Activities;
- Section 2: Environmental Assessments, summarizing the subject matter, cost, and schedule of environmental assessments expected to start during the next 12 months; and
- Section 3: Environmental Impact Statements, summarizing the subject matter, cost, and schedule of environmental impact statements expected to start during the next 24 months.

Schedule information for completion of each NEPA review identified is provided within the discussion of each review.

The Order also requires that every three years a field organization include in its NEPA planning summary an evaluation of whether a site-wide environmental impact statement (SWEIS) would facilitate future NEPA compliance efforts. Additionally, DOE NEPA regulations [10 CFR Part 1021.330(d)] include a requirement that a Supplement Analysis (SA) (as discussed at 10 CFR Part 1021.314(c)) be conducted at least every five years to determine whether an existing SWEIS is adequate or whether a new or supplemental EIS should be prepared. In FY 1997, Rocky Flats Environmental Technology Site (RFETS or Site) addressed the need for a SWEIS. In accordance with these requirements, an updated evaluation was conducted in FY 2000 (and finalized in 2001), and a supplement analysis was conducted in FY 2002.

The Rocky Flats Cleanup Agreement (RFCA) specifies that closure activities at the Site "will be conducted as CERCLA removal actions." This is consistent with the Secretarial Policy (1994) and eliminates the need to prepare separate environmental assessments on CERCLA actions, through incorporation of NEPA values in the decision or planning documents for the related activities. Review of such documents is conducted for appropriate inclusion of NEPA values. Environmental impacts of activities that cannot

undergo functionally equivalent NEPA review through CERCLA (such as activities under the Resource Conservation and Recovery Act (RCRA) permit and the siting, construction, and operation of treatment, storage and disposal facilities that support waste management) are subject to a separate NEPA review process.

1. Status of NEPA Compliance Activities

In 1980, the Rocky Flats Plant Site SWEIS was developed and examined environmental impacts of operation in the Industrial Area with the Buffer Zone serving as what was, and will continue to be, a security buffer so long as nuclear material is on Site. A draft SWEIS was prepared in 1996 to analyze the environmental impacts associated with the Site's mission change from production to environmental management operations and Site closure. This draft SWEIS was canceled by DOE/RFEO in early 1997. This was due to the fact that data generated during the development of the draft SWEIS, in relation to cleanup plans, indicated that environmental impacts of cleanup activities would be localized in the Industrial Area and would not present appreciable changes in Site-wide environmental impacts from those associated with Site operations reviewed under the 1980 SWEIS.

Much of the data generated in development of the draft 1996 SWEIS is contained in the Rocky Flats Cumulative Impacts Document (CID) which was made available to the public in RFETS reading rooms in June 1997. Although not formally identified as such, publication of the CID did satisfy several of the requirements attendant to a Supplement Analysis (SA). Specifically, the CID analysis examined environmental impacts associated with changes in the proposed action at RFETS and significant new circumstances and information relevant to environmental concerns. DOE also made this analysis available to the public, as required for SAs, which addressed public notification of the results of DOE's determination that a new SWEIS is not required.

A CID Update Report was prepared in FY2000 and finalized in FY2001. It was conducted as part of the annual NEPA evaluation and re-examined impacts presented in the CID relative to potential impacts of activities identified in the RFETS Closure Plan, dated October 1999. It indicated that the original conclusions, established using the CID and regarding a RFETS SWEIS, remain valid.

A five-year SA was conducted in FY2002 to evaluate the need for a new SWEIS or supplement to the EIS, as required by 10 CFR 1021.330 and as provided in 10 CFR 1021.314c. Because the primary scope change since the last SA relates to the amount and type of waste generated and transported off-Site for final disposition, transportation was the primary focus of this analysis. In addition, the FY2002 SA documents a review of NEPA related documentation for RFETS closure activities. The conclusion of the FY2002 SA was that environmental impacts of cleanup activities will not present appreciable changes in Site-wide environmental impacts from those associated with Site operations analyzed previously, and that a new SWEIS is not needed. These analyses have brought the SA up-to-date through FY2002.

During FY2003, NEPA values analyses were conducted under the functional equivalency approach for the following CERCLA decision documents:

- Environmental Restoration RFCA Standard Operating Procedure (RSOP) for Routine Soil Remediation (Revision)
- Building 371/374 Decommissioning Operations Plan (Revision)
- IM/IRA for the Present Landfill (Revision)

2. Environmental Assessments

There are no ongoing environmental assessments for the Site.

The need for an upcoming environmental assessment (EA) has been identified and is premised on the fact that work will be done impacting existing drainage areas that has not been covered in a categorical exclusion or other decision document, nor has received public comment or input. Primary anticipated environmental issues for which potential impacts will be addressed are wetlands habitat for the Prebles Jumping Mouse in addition to air and water quality.

As currently scoped, the following Site closure activities are not subject to RFCA or other regulatory processes for which the functional equivalency principle can be applied for NEPA compliance.

- Disposition of the interceptor ponds and dams in the Woman Creek drainage (A- and B-series ponds)
- Removal of access roads
- Development of small borrow pits for clean fill material
- Overall site reconfiguration, re-contouring, and re-vegetation

The proposed schedule has an initial draft of the report being ready for agency discussions the first of February and the final EA ready for publication in early March. The Agency anticipates a 30 day public review/comment period with few issues or concerns being raised. The estimated cost of this EA is \$50,000.

3. Environmental Impact Statements

No environmental impact statements are in preparation by DOE at the Site. However, as discussed above, the CID Update (Draft) was completed in 2000 (Final issued in 2001) and a five-year Supplement Analysis was completed in 2002. Both of these analyses provide an updated characterization of the cumulative environmental impacts at RFETS closure. They provide updated technical resources for environmental analyses and cumulative impacts that reflect current (accelerated) closure plans and can be referenced in other Site NEPA documents. Specifically, the analyses considered impacts of activities in the 2006 Plan which differ from those analyzed in the CID. No significant additional impacts or cumulative impacts beyond those addressed in the CID were identified in either analysis. Therefore, results of these updates indicate that the original conclusions established using the CID regarding a RFETS SWEIS remain valid.

Although DOE is not currently preparing an EIS related to the Site, the U.S. Fish and Wildlife Service (USFWS) is currently preparing an EIS for future management of the Site as a national wildlife refuge. The EIS is to provide long-term guidance and management direction to achieve the refuge's purpose and restore ecological integrity. The Notice of Intent for this EIS was published in the Federal Register on August 23, 2002, and public scoping was initiated in September 2002.